



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

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Application No.: 10/777,411
Confirmation No.: 4318
Filing Date: February 12, 2004
First Named Inventor: Charles Gordon
Title: ARTIFICIAL SPINAL UNIT
ASSEMBLIES

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Examiner: A. M. Schillinger
Art Unit: 3738
Atty. Dkt. No.: 5943-00300/EBM

<p>CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8</p> <p>DATE OF DEPOSIT: <i>May 30, 2008</i></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:</p> <p>Commissioner for Patents Alexandria, VA 22313</p> <p><i>Jackie L. Pitre</i> Jackie L. Pitre</p>
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**TRANSMITTAL OF PETITION TO ADD TO ORIGINALLY NAMED INVENTORS OF
NONPROVISIONAL PATENT APPLICATION UNDER 37 C.F.R. 1.48(a)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant encloses the following:

- (1) Petition and Fee to Add to Originally Named Inventors Pursuant to 37 C.F.R. 1.48(a) (3 pages);
- (2) Assignee Consent Under 37 C.F.R. §1.48(a)(5) (1 page), the referred to Assignment is recorded at reel 016732, frame 0318;
- (3) Inventor Statement Under 37 C.F.R. §1.48(a)(2) (1 page);
- (4) Application Data Sheet 37 CFR 1.76 (5 pages);
- (5) Originally executed Declaration of Charles R. Gordon (3 pages);
- (6) Originally executed Declaration of Corey T. Harbold (3 pages);
- (7) Originally executed Declaration of Heather S. Hanson (3 pages);

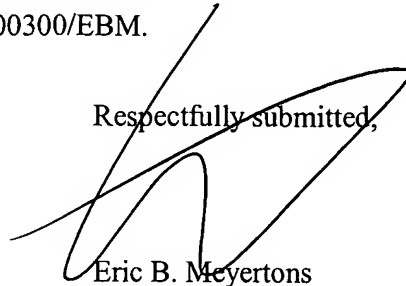
(8) Fee Authorization in the amount of \$130.00 to cover the fees as follows (2 pages):

\$130.00 -- Petition for Correction of Inventorship fee; and

(9) A return postcard.

If any fees are omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5943-00300/EBM.

Respectfully submitted,



Eric B. Meyertons
Reg. No. 34,876

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.

P.O. BOX 398

AUSTIN, TX 78767-0398

(512) 853-8800 (voice)

(512) 853-8801 (facsimile)

Date: May 30, 2008

Amendment to the Specification

On page 1 (Title Page), please add beneath the list of inventors the following additional inventor:

Heather S. Hanson

Remarks

This amendment and petition is to add to the originally named inventors under 37 CFR §1.48(a). Please add the following previously unnamed person as an inventor of this application: Heather S. Hanson.

Attached is:

- a) a statement from Heather S. Hanson that the error in inventorship occurred without deceptive intention on her part;
- b) a declaration by the actual inventors as required by 37 CFR §1.63;
- c) a fee authorization to cover the processing fee set forth in §1.17(i); and
- d) written consent of the assignee.

Should additional fees be required or if fees have been overpaid, please charge or refund the appropriate fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5943-00300/EBM.

Respectfully submitted,

Eric B. Meyertons
Reg. No. 34,876

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Date: May 30, 2008



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Examiner: A.M. Schillinger
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ASSIGNEE CONSENT UNDER 37 CFR §1.48(a)(5)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

The undersigned, being Assignee of the entire interest of the above-identified application by virtue of a previously filed assignment, hereby consents to a correction of inventorship to include Heather S. Hanson as an actual inventor along with the original named inventors, Charles Gordon and Corey Harbold, in connection with the above-captioned Application.

Flexuspine, Inc.

By: [Signature]

Name: Vincent J. Jannetty

Title: CEO

Date: May 21, 2008

